

**HAINES & KRIEGER, LLC**  
DAVID H. KRIEGER, ESQ.  
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Attorneys for Plaintiff,  
PHILIP MONTANA, JR.

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA – LAS VEGAS**

PHILIP MONTANA JR.,  
Plaintiff,  
v.  
CAPITAL ONE BANK (USA), N.A., TD  
BANK, N.A., and EXPERIAN  
INFORMATION SOLUTIONS, INC.  
Defendants.

Case No. 2:15-cv-00453-GMN-PAL

*Assigned to Judge Gloria M. Navarro*  
*Referred to Magistrate Judge Peggy*  
*A. Leen*

**STIPULATION OF DISMISSAL**  
**WITH PREJUDICE**  
**AND ORDER THEREON**

Complaint Filed: March 12, 2015  
Trial Date: TBA

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**STIPULATION**

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties hereby stipulate that Defendant Capital One Bank (USA), N.A. ("Capital One") be dismissed from this action with prejudice, with Plaintiff and Capital One to bear their own fees and costs.

DATED: July 31, 2015

HAINES & KRIEGER, LLC

By: /s/ David H. Krieger  
DAVID H. KRIEGER  
Attorneys for Plaintiff,  
PHILIP MONTANA, JR.

DATED: July 31, 2015

FERNALD LAW GROUP LLP

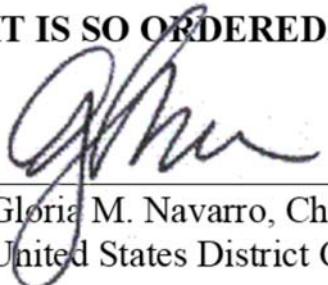
By: /s/ Brandon C. Fernald  
BRANDON C. FERNALD  
Attorneys for Defendant,  
CAPITAL ONE BANK (USA), N.A.

DATED: July 31, 2015

SNELL & WILMER L.L.P.

By: /s/ Bob L. Olson  
BOB L. OLSON, Esq.  
Attorneys for Defendant,  
EXPERIAN INFORMATION  
SOLUTIONS, INC.

**IT IS SO ORDERED.**

  
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Gloria M. Navarro, Chief Judge  
United States District Court

**DATED: 08/03/2015.**

**CERTIFICATE OF MAILING AND FACSIMILE**

I hereby certify that on the 31st day of July, 2015, I served a true and correct copy of the Parties' Stipulation of Dismissal upon the parties to this action via CM/ECF.

By: /s/ David H. Krieger  
David H. Krieger, Esq.  
Attorneys for Plaintiff,  
PHILIP MONTANA, JR.

DOLL AMIR & ELEY LLP